

Assembly Bill No. 774

CHAPTER 162

An act to add Section 35021.3 to the Education Code, relating to physical education.

[Approved by Governor July 30, 2007. Filed with
Secretary of State July 30, 2007.]

LEGISLATIVE COUNSEL'S DIGEST

AB 774, Houston. Physical education: volunteer instructors.

Existing law requires the adopted course of study for grades 1 to 12, inclusive, to include physical education, and requires pupils to attend physical education for a specified minimum amount of time, based on grade level, unless otherwise exempted. Two courses in physical education are required to be completed by a pupil as part of the requirements for receipt of a diploma of graduation from high school, unless that pupil is otherwise exempted from physical education.

Existing law authorizes the Commission on Teacher Credentialing to issue single subject credentials in the area of physical education, among other credentials.

This bill would authorize a school district or a county office of education to establish a registry of volunteer after school physical recreation instructors. To be included on a registry, a prospective registrant would be required to submit to a specified criminal background check, submit current contact information, and keep that information current. A school, school district, or county office of education would be authorized to contribute funds to pay for all or part of the cost of a criminal background check required of a prospective registrant. The bill also would authorize a school district or county office of education maintaining a registry to impose other requirements on prospective registrants, including, but not limited to, certification in cardiopulmonary resuscitation. The bill would authorize a school under the jurisdiction of a school district or county office of education maintaining a registry, upon approval of the person acting as the coordinator of, or overseeing, the after school activities of the school, to allow a registrant to provide instruction in physical recreation to pupils after school hours or provide other services. Instruction in physical recreation provided to a pupil by a volunteer would be prohibited from counting toward satisfaction of either the physical education course requirements for graduation from high school or the required number of minutes of instruction in physical education.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature to do both of the following through the enactment of this act:

(a) Encourage volunteers from the community to partake in physical recreation activities with pupils after school.

(b) Uphold current agreements between volunteers and schools and not impose any additional regulations upon the volunteers.

SEC. 2. Section 35021.3 is added to the Education Code, to read:

35021.3. (a) A school district or a county office of education may establish a registry of volunteer after school physical recreation instructors and other before and after school programs volunteers.

(b) (1) To be included on a registry established pursuant to this section, a prospective registrant shall submit to a criminal background check pursuant to Section 45125. The prospective registrant shall also submit current contact information to the school district or county office maintaining the registry and shall update that information whenever the information changes.

(2) A school, school district, or county office of education may contribute funds to pay for all or part of the cost of a criminal background check required of a prospective registrant pursuant to paragraph (1).

(c) A school district or county office maintaining a registry may impose other requirements on prospective registrants, including, but not limited to, certification in cardiopulmonary resuscitation.

(d) Upon approval of the person acting as the coordinator of, or overseeing, the afterschool activities of the school, a school under the jurisdiction of a school district or county office of education maintaining a registry may allow a volunteer registered with the school district or county office to provide instruction in physical recreation to pupils after school hours or provide other services.

(e) This section does not require a school district or county office of education to establish or maintain a registry and does not require a school to use a volunteer from a registry to provide instruction in physical recreation to pupils after school hours or provide other services.

(f) Instruction in physical recreation provided to a pupil by a volunteer pursuant to subdivision (d) shall not be counted toward satisfaction of either the physical education course requirements for graduation from high school pursuant to Section 51225.3 or the number of minutes of instruction in physical education required pursuant to Section 51210, 51222, or 51223, as applicable.